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## EPA: Few comments received on Pond 18 closure

By Lori Edmo-Suppah  
Sho-Ban News

FORT HALL — Comment period on the proposal to amend the Consent Decree to allow Pond 18 to be capped at the Astaris phosphorous plant closes Friday and Gil Haselberger, senior advisor for Region 10 of the Environmental Protection Agency, said they have not received a whole lot of comments.

He speculated the lack of response could be because there has been much discussion on the issue on the reservation and perhaps people feel their views have been aired. "Whether they are for or against," the capping, maybe there's nothing more to say, he said.

Pond 18 is a double-lined hazardous waste storage pond and is divided into two cells — A and B. Cell A contains most of the sediment and solid materials, while Cell B contains mostly water. Under the Consent Decree between EPA, FMC and the Department of Justice, it allowed the company to put its hazardous waste in the Pond 18 until a waste treatment system — the LDR Treatment System was built. FMC has until May 2002 to build the LDR and process waste in the system. The FMC Corporation and the Shoshone-Bannock Tribes reached an agreement in May to cap Pond 18 at the Astaris plant that is located on the Fort Hall Indian Reservation. In return, the Tribes would receive \$40 million — \$30 million up front and \$2 million per year thereafter for a period of five years. Tribal members in attendance at a July Called Meeting affirmed the agreement voting to pay out all of the agreement monies to tribal members. Pond 18 contains hazardous waste from the plant and it was supposed to be removed and treated under the 1998 RCRA Consent Decree. Haselberger said once the comment period closes, the EPA then responds to the comments and publishes it. "If they're relatively few comments, isn't anything profound, then we will be able to move fairly quickly," he continued. "It's conceivable that if we don't get any other comments, that by mid-October, we can amend the Consent Decree," Haselberger said.

The EPA has nothing to do with the agreement between the Tribes and FMC, so once the Consent Decree is amended that it's up to the two parties on the transfer of funds. He added that once the amendment occurs, then the EPA has to advertise a closure plan for Pond 18 and allow a 30-day comment period. He said they could possibly have a public meeting on the reservation giving closure plan details. "I think the amendment will occur," Haselberger continued. "I can't promise it's in the bag," he said unless they received some real serious comments that would require further investigation such as a significant risk that hadn't considered. Anyone wanting to comment on the Pond 18 closure can submit in writing on e-mail no later than Friday, September 21, 2001 to Linda Meyer, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue (WCM-121), Seattle, WA

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